

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

MICHAEL AERTS,

Plaintiff,

v.

TRYSTAR ENTERPRISES, LLC

Defendant.

Civil Action

No. 1:23-cv-1547-AT-CCB

JURY TRIAL DEMANDED

**CONSENT MOTION FOR EXTENSION OF TIME TO RESPOND TO
DEFENDANT’S MOTION FOR SUMMARY JUDGMENT**

COMES NOW, Plaintiff Michael Aerts (“Plaintiff”), by and through his undersigned counsel and respectfully requests that the Court extend the time for him to respond to Defendant’s Motion for Summary Judgment [Doc 24] by 2 weeks. In support of this motion, Plaintiff shows the Court as follows:

1. Plaintiff filed his Complaint with the United States District Court for the Northern District of Georgia on April 11, 2023. [Doc 1].
2. Defendant filed its Answer to Plaintiff’s Complaint on May 12, 2023. [Doc 3].
3. Discovery ended on November 30, 2023. [Doc 18]. Defendant filed its Motion for Summary Judgment (“MSJ”) on January 2, 2024. [Doc 24].
4. Plaintiff’s response is currently due January 23, 2024.

5. The undersigned attorney for Plaintiff is responsible for preparing Plaintiff's Response to Defendant's MSJ in this case. Unfortunately, the undersigned attorney has been dealing with personal and family-related medical issues – including illness, a surgery, and unexpected medical appointments. These issues have required the undersigned attorney to take unexpected time away from work to care for his family. The undersigned attorney is also working on conflicting deadlines, including a response to a Motion for Judgment on the Pleadings in another case.
6. The unexpected time away from work due to medical and family issues, as well as the conflicting deadlines, have made it extremely difficult for Plaintiff's counsel to prepare a complete response to Defendant's MSJ that would best assist this Court in reaching the correct decision.
7. For this reason, Plaintiff respectfully requests that the deadline for responding to Defendant's MSJ be extended by 2-weeks, through and including February 6, 2024.
8. Plaintiff's counsel has conferred with Defendant's counsel regarding the requested extension. Defendant consents to the requested extension.
9. The requested extension will not prejudice the parties in any manner.
10. A Proposed Order is attached hereto for the Court's convenience.

Respectfully submitted this 18th day of January 2024.

BARRETT & FARAHANY

/s/ Benjamin A. Stark

Benjamin A. Stark

Georgia Bar No. 601867

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ORDER

The above-styled case is presently before the Court on the *Consent Motion for Extension of Time to Respond to Defendant's Motion for Summary Judgment*. After careful consideration, the Motion is GRANTED. Plaintiff shall have up to and including February 6, 2024 to respond to Defendant's Motion for Summary Judgment.

IT IS SO ORDERED, this ____ day of _____ 2024.

THE HONORABLE CHRISTOPHER C. BLY
U.S. MAGISTRATE JUDGE

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CERTIFICATE OF SERVICE

I hereby certify that on this day, I electronically filed the foregoing *Consent Motion for Extension of Time to Respond to Defendant's Motion for Summary Judgment* with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to all attorneys of record.

Respectfully submitted this 18th day of January 2024.

BARRETT & FARAHANY

/s/ Benjamin A. Stark

Benjamin A. Stark

Georgia Bar No. 601867